

**RECEIVED
IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
2007 NOV 21 A 11:24 SOUTHERN DIVISION**

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

RUBY STREETER,)
Plaintiff,)
) Case No. 1:07-cv-97-WKW
v,)
)
OFFICE OF DOUGLAS R. BURGESS, LLC.)
et al.,)
Defendants.)

Rule 11 Motion for Sanctions

COMES NOW Defendants, Office of Douglas R. Burgess, LLC and Douglas R. Burgess and hereby submit this Rule 11 Motion for Sanctions against the Plaintiff and in support thereof offers the following:

1. The Plaintiff has filed pleadings, Motion to Amend Complaint and Amended Complaint with this Court in an attempt to add certain individuals and entities as defendants to this case with no legal basis for doing so.
2. Plaintiff is proposing the addition of one of Defendant Office of Douglas R. Burgess, LLC's clients and its principals.
3. The entities and individuals proposed as defendants have nothing to do with the account at issue in this case relating to Plaintiff and are not and have never done business as Office of Douglas R. Burgess, LLC.
4. The relationship between the proposed defendants and Defendants goes no further than that of attorney and client and has no link or relevance to this case.

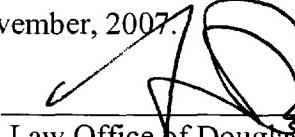
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5. Plaintiff has offered no legitimate, legal purpose for the addition of the proposed defendants.
6. Plaintiff has offered no proof or basis for her claims that any of the proposed defendants do business as Defendant Office of Douglas R. Burgess, LLC.
7. Plaintiff's only purpose for filing her Motion to Amend and propowsed Amended Complaint is a retaliatory attempt to harass the Defndants and their clients and will only result in needlessly delaying and complicating this case as well as increasing the costs of litigation of this case. Fed. R.DCiv. P., Rule 11 (b)(1).
8. Plaintiff's claims that the proposed defendants should be added as defendants are not warranted by existing law and are clearly frivolous.. Fed. R. Civ. P., Rule 11 (b)(2).
9. Plaintiff does not have sufficient evidentiary support and will not be able to obtain such evidentiary support for its claims that the proposed defendants should be added or that they in any way have anything to do with this case. Fed. R. Civ. P., Rule 11 (b)(3).

WHEREFORE, Defendants move this Court to impose sanctions against the Plaintiff under Fed. R. Civ. P. Rule 11 for Plaintiff's filing of a frivolous Motion to Amend lacking any legitimate purpose for its filing.

Respectfully submitted this the 19th Day of November, 2007



Law Office of Douglas R. Burgess, LLC by
Douglas R. Burgess, Esq.
480 Ridge Road West
Rochester, New York 14615
Tel. No. 585-581-1060
Fax No. 585-581-1062

Certificate of Service

I hereby certify that I have served a copy of the foregoing upon counsel for the Plaintiff via US Mail, postage prepaid, this the 19th day of November, 2007 to the folowing address:

David G. Poston
Walter A. Blakency
Michael D. Brock
Gary W. Stout
Brock & Stout
Post Office Drawer 311167
Enterprise, AL 36330

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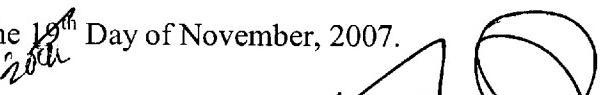
7. Plaintiff's only purpose for filing her Motion to Amend and proposed Amended Complaint is a retaliatory attempt to harass the Defendants and their clients and will only result in needlessly delaying and complicating this case as well as increasing the costs of litigation of this case. Fed. R.DCiv. P., Rule 11 (b)(1).

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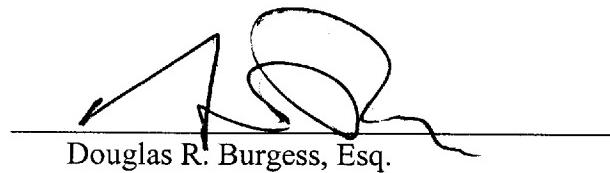
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